

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
v.)
Plaintiff,)
JILL NICOLE FORD,)
Defendant.)
Case No. CR-22-00009-JD

ORDER

Before the Court is Defendant Jill Ford’s Application to File Sentencing Memorandum Under Seal (“Motion”). [Doc. No. 26]. The Motion requests leave to file the Defendant’s sentencing memorandum under seal. The Motion advises that the sentencing memorandum will contain sensitive, personal, and confidential information., not for public disclosure. Motion at 1. Counsel for the United States does not object.¹

Federal Rule of Criminal Procedure 49.1(d) provides that “[t]he court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.”

Under Rule 49.1(d), the Court PROVISIONALLY GRANTS the Motion. Counsel for Defendant may file Defendant's sentencing memorandum under seal in accordance with the Electronic Case Filing Policies and Procedures Manual for the Western District of Oklahoma. At sentencing, however, the parties should be prepared to address whether these filings should remain under seal following sentencing or whether a redacted version

¹ This was confirmed by the Court.

should be filed for the public record. *See* Fed. R. Crim. P. 49.1(d); *cf. United States v. Bacon*, 950 F.3d 1286 (10th Cir. 2020). Additionally, the parties must confer prior to the sentencing hearing in a good-faith attempt to prepare proposed redactions in the event the Court orders these filings unsealed in whole or in part, and Defendant's counsel must appear at the sentencing hearing with proposed redacted versions of any filings that were filed entirely under seal as a result of this Order.²

IT IS SO ORDERED this 12th day of May 2023.



JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE

² For example, although direct references to the PSR might be properly sealed, general references to charging documents, statutes, sentencing guidelines, and associated case law often do not need to be withheld from public access.